

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

BRYAN MARSHALL WEST,

Plaintiff,

v.

TAMMIE GIBSON,

Defendant.

Case No. 1:23-cv-11321

Honorable Thomas L. Ludington
United States District Judge

Honorable Curtis Ivy, Jr.
United States Magistrate Judge

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, AND
DISMISSING PLAINTIFF'S COMPLAINT**

This matter is before this Court upon Magistrate Judge Curtis Ivy, Jr.'s Report and Recommendation (R&R), ECF No. 22, recommending that this Court grant Defendant's Motion for Summary Judgment on the Basis of Exhaustion, ECF No. 12.

Although the R&R states that Parties could object to and seek review of the R&R within 14 days of service, neither Party objected. They have therefore waived their right to appeal Judge Ivy's findings. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that Magistrate Judge Ivy's Report and Recommendation, ECF No. 22, is **ADOPTED**.

Further, it is **ORDERED** that Defendant's Motion for Summary Judgment on the Basis of Exhaustion, ECF No. 12, is **GRANTED**.

Further, it is **ORDERED** that Plaintiff's Complaint, ECF No. 1, is **DISMISSED**.

This is a final order and closes the above-captioned case.

Dated: June 25, 2024

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge